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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,647	10/15/2001	Salil D. Patel	GMS 303	7537

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EXAMINER

MCCLELLAN, JAMES S

ART UNIT PAPER NUMBER

3627

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/981,647

Applicant(s)

PATEL ET AL.

Examiner

James S McClellan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11-12-04; 10-15-02
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Information Disclosure Statement

1. Applicant's submission of Information Disclosure Statements on 11/12/04, 10/15/02, 1/7/02, and 1/4/02 have been entered and fully considered as indicated by the signed copy of each PTO-1449 attached to this office action.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4, 14-17, 20-24, and 38-40 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application No. US 2001/0034666 A1 (hereinafter "Berliner").

Regarding **claim 1**, Berliner discloses a computer implemented education and procurement system, the system comprising: a GUI configured to display (see paragraph 0004, "web site"); a user- selected tutorial having a description of a procedure (see paragraph 0005); one or more requirements for the procedure (see paragraph 0008); and product information regarding one or more commercially available products that may be used to satisfy each requirement (see paragraph 0008, "model number"); [**claim 2**] product info and tutorial are

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linked (see paragraph 0006); **[claim 3]** product icon (see Figure 1; see also paragraph 0006) visually depicting each product; **[claim 4]** textual description of each product (see Figure 1; see also paragraph 0006); **[claim 14]** GUI includes a purchase option (see paragraph 0008, “shopping cart”); **[claim 15]** the purchase option selector links a user to a remote vendor site to complete a purchase (see 0004); **[claim 16]** GUI is downloadable and displayable by a web browser (see paragraph 0004, “web site”); **[claim 17]** the product information is served to the user by a third party server (see 0004); **[claim 20]** tutorial displays a plurality of steps of the procedure (see 0005); **[claim 21]** display requirements for each steps (see Figure 1); **[claim 22]** display product options (see Figure 1); **[claim 23]** the requirements include general requirements (inherent); **[claim 24]** equipment and consumable materials (see paragraph 0004, “tools and repair supplies”).

Regarding **claim 38**, Berliner discloses a method for educating a user about a procedure and products related thereto, the method comprising: receiving a command from a user to display a user-selected tutorial containing information related to a procedure (see paragraph 0005); displaying the user selected tutorial (see paragraph 0005); and on the same interface as the tutorial, displaying product information corresponding to one or more commercially available products required to conduct the procedure (see Figure 1; see also paragraph 0008); **[claim 39]** the tutorial describes a plurality of steps of the procedure, and the products are listed by procedure step (see paragraphs 0005 and 0008); and **[claim 40]** the procedure includes one or more requirements, and the method further comprises selecting for display one or more products suitable to meet each requirement (see Figure 1).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5, 6, 8-11, 13, 25-30, 32-36, and 41-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berliner in view U.S. Patent No. 6,101,486 (hereinafter "Roberts").

Berliner discloses all the limitations as set forth above in paragraph 3, but fails to explicitly disclose entering a user profile including information relating to current inventory.

Roberts teaches the use of entering a user profile including information relating to current inventory (see column 2, lines 50-55; column 4, lines 35-43; and column 6, lines 44-52).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Berliner with profile and inventory features taught by Roberts, because checking user profile inventory data allows the vendor to provide information that is most useful to the potential purchasers, wherein reducing solicitation of items not needed by the purchaser.

6. Claims 7, 12, 18, 19, 31, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berliner in view of Roberts and *Official Notice*.

Berliner in combination with Roberts discloses all the limitations as set forth above in paragraphs 3 and 5, but fail to explicitly disclose an entity profile containing information for a plurality of labs within a user's entity.

The Examiner takes Official Notice that it is old and well known in the art of inventory management systems to include entity profile data for a plurality of distinct location units.

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Berliner/Roberts with entity profile and inventory features as is well known in the art, because providing entity wide data allows a large organization to share data and reduce costly redundant inventory.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

Rosenweig et al. and Peterson et al. are cited of interest for disclosing inventory management systems.

Internet Publication (www.repairclinic.com) is cited of interest for disclosing a web site that provides product ordering directly related to a tutorial. It is noted that the following pages were archived on (www.archive.org) on November 28, 1999.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jim McClellan whose telephone number is (703) 305-0212. The examiner can normally be reached on Monday-Friday from 9:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski, can be reached at (703) 308-5183.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Any response to this action should be mailed to:

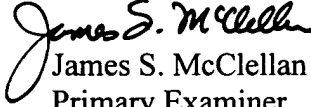
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Washington D.C. 20231

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or faxed to:

(703) 872-9306 (Official communications) or
(703) 746-3516 (Informal/Draft communications).

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive,
Arlington, VA, 7th floor receptionist.


James S. McClellan
Primary Examiner
A.U. 3627

jsm
December 10, 2004